

15.5.1 Noncooperation Exemption for Pregnant Women or Custodial Parents with Newborns

The W-2 agency determines if there is a noncooperation exemption. There are two possible exemptions:

- 1) A pregnant woman is exempt from any penalty for noncooperation for the unborn child, regardless of the pregnant woman having custody of born child(ren). However, the pregnant woman must cooperate for any born children in the W-2 group who are over 59 days of age.
- 2) A custodial parent with a child younger than 60 days is exempt from the requirement to cooperate for that child. However, the custodial parent must cooperate for any children in the W-2 Group who are older than 59 days.

If there is an exemption and the CSA sends noncooperation information, the W-2 agency must not impose any penalty for noncooperation, regardless of whether there is good cause.

EXAMPLE: A W-2 Group has three members: Kim, the custodial parent; her child Tia who is 5 years old; and her child Tisha who is 30 days old. The CSA determined Kim is not cooperating with child support for Tisha. The W-2 agency determined that there is an exemption for Tisha because she is under 60 days old. This exemption does not apply to Kim cooperating for Tia because the exemption is only for the custodial parent's noncooperation for the child who is younger than 60 days. Kim must still cooperate with child support for Tia.